



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1515/P1
CMH:wlj:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** relating to:the budget; relating to:the budget; relating
2 to:the budget; relating to:the budget; relating to:the budget; relating to:the
3 budget; relating to:the budget; relating to:the budget

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1053/6 ***

NATURAL RESOURCES

STEWARDSHIP

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the stewardship program, which DNR administers. The state may authorize bonds to acquire state land or easements that are under the jurisdiction of DNR for areas such as state forests and state parks and the Lower Wisconsin State Riverway. Also, currently under the stewardship program, DNR may issue bonds to award grants or state aid to certain governmental units and to nonprofit conservation organizations in order to acquire lands, easements, or development rights.

This bill limits acquisitions of land, easements, and other rights or interests in land under the stewardship program to only acquisitions of land in fee simple and acquisitions of certain easements for forestry purposes (forestry easements), easements for state trails or the Ice Age Trail, and easements that are necessary to provide access to lands or waters that are required to be open to the public for which there is no public access or limited public access. An acquisition of land in fee simple is one where all the rights in the land are acquired, as opposed to the acquisition of

just an easement or development rights. Under the bill, an easement acquired for a state trail, for the Ice Age Trail, or to provide access to land or a body of water may not be more than five acres in size.

The bill requires a city, village, town, or county to adopt a nonbinding resolution that either supports or opposes a proposed acquisition of land or easement and requires DNR to consider the resolution in determining whether to approve the acquisition. This requirement does not apply to forestry easements.

Under current law, lands, and certain easements on lands, acquired under the stewardship program must be open to the public for nature-based outdoor activities such as hunting, fishing, hiking, and cross-country skiing unless the DNR board determines that the land may be closed to protect public safety or a unique animal or plant community or to accommodate usership patterns such as conflicts between these types of activities (reasons for prohibiting public access). This bill eliminates the accommodation of usership patterns as a reason for prohibiting public access with respect to lands, or easements on lands, that are not acquired for a state trail or the Ice Age Trail and that are acquired after the bill becomes law.

Under current law, if a land acquisition or development project under the stewardship program costs more than \$750,000, DNR cannot obligate money from the stewardship fund for that activity until DNR gives to JCF written notice of the proposed activity. JCF may schedule a meeting to review the proposal only if at least five members of JCF, one of whom is a cochairperson, object in writing to the proposed activity. If the cochairpersons of JCF do not notify DNR within 14 working days after the date of DNR's notification that JCF has scheduled a meeting to review the proposed activity, DNR can obligate the money. If the cochairpersons notify DNR that JCF has scheduled a meeting to review the proposed activity, DNR can obligate the money only if JCF approves the proposed activity or if JCF fails to hold the meeting within a specific number of working days. This bill decreases the \$750,000 threshold to \$250,000.

***** ANALYSIS FROM -0143/2 *****

Under current law, the acquisition costs to be used in calculating the amount of a grant under the stewardship program equal the fair market value of the land being acquired plus any other acquisition costs if the land has been owned by the person conveying the land for three years or more. If the land has been owned for one year or more but less than three years, the acquisition costs equal the sum of the current owner's acquisition price and an annual adjustment increase (adjusted price). If the land has been owned for less than one year, the acquisition costs equal the current owner's acquisition price.

Under this bill, the acquisition costs for land that has been owned for one year or more but less than three years equal the adjusted price or the current fair market value, whichever is lower. The acquisition costs for land that has been owned for less than one year equal the current owner's acquisition price or the current fair market value of the land, whichever is lower.

***** ANALYSIS FROM -1053/6 *****

OTHER NATURAL RESOURCES

Under current law, land that DNR purchases is not subject to property taxes. Instead, DNR makes annual payments to municipalities for each parcel of land that the DNR has purchased in those municipalities. The payment amount is determined, generally, by multiplying the parcel's estimated value by the aggregate net general property tax rate that would apply to the parcel if it were subject to property taxes. This bill eliminates those payments for land purchased after the bill's effective date.

***** ANALYSIS FROM -0249/1 *****

Under current law, DNR administers a financial assistance program for projects that increase dam safety and may contract public debt to fund the program. This bill increases DNR's bonding authority for the program, the debt service on which is paid from the general fund, by \$4,000,000.

***** ANALYSIS FROM -0137/1 *****

Also, under this grant program, dam owners, including municipalities and public inland lake protection and rehabilitation districts, generally are eligible to receive a grant only if DNR has issued a directive to the owner to take action to increase the dam's safety. Under current law, in order to obtain a grant, the dam owner must request the grant within six months after having received a DNR directive. This bill eliminates the deadline for making a grant request under the grant program.

***** ANALYSIS FROM -1442/1 *****

Under current law, a person who owns a snowmobile that is not registered in this state or is exempt from registration must display on the snowmobile a trail use sticker issued by DNR. Current law also requires DNR to calculate an amount equal to the number of trail use stickers issued by DNR in the previous fiscal year multiplied by \$15 and to credit this amount to an appropriation account that funds aids to counties for activities such as trail development and maintenance. This bill increases the amount by which DNR must multiply the number of trail use stickers from \$15 to \$32 for purposes of determining the amount to be credited to this appropriation account.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2011 DRAFTING REQUEST

Bill

Received: 02/22/2011

Received By: **chanaman**

Wanted: **As time permits**

Companion to LRB:

For: **Legislative Reference Bureau**

By/Representing:

May Contact:

Drafter: **chanaman**

Subject: **State Govt - miscellaneous**

Addl. Drafters:

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Analysis compile for natural resources

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman	/plwy 2/23	9/23 ph 2/29	_____ _____			

FE Sent For:

<END>



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1515/P1
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2/23
Mary,
Does this look
like what you want?
I had the LPS
give me a clean
copy. Wendy ^{see} changes

1 AN ACT ...; **relating to:** relating to:the budget; relating to:the budget; relating
2 to:the budget; relating to:the budget; relating to:the budget; relating to:the
3 budget; relating to:the budget; relating to:the budget

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1053/6 ***

NATURAL RESOURCES

STEWARDSHIP

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the stewardship program, which DNR administers. The state may authorize bonds to acquire state land or easements that are under the jurisdiction of DNR for areas such as state forests and state parks and the Lower Wisconsin State Riverway. Also, currently under the stewardship program, DNR may issue bonds to award grants or state aid to certain governmental units and to nonprofit conservation organizations in order to acquire lands, easements, or development rights.

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COPY +
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P. 2

just an easement or development rights. Under the bill, an easement acquired for a state trail, for the Ice Age Trail, or to provide access to land or a body of water may not be more than five acres in size.

The bill requires a city, village, town, or county to adopt a nonbinding resolution that either supports or opposes a proposed acquisition of land or easement and requires DNR to consider the resolution in determining whether to approve the acquisition. This requirement does not apply to forestry easements.

Under current law, lands, and certain easements on lands, acquired under the stewardship program must be open to the public for nature-based outdoor activities such as hunting, fishing, hiking, and cross-country skiing unless the DNR board determines that the land may be closed to protect public safety or a unique animal or plant community or to accommodate usership patterns such as conflicts between these types of activities (reasons for prohibiting public access). This bill eliminates the accommodation of usership patterns as a reason for prohibiting public access with respect to lands, or easements on lands, that are not acquired for a state trail or the Ice Age Trail and that are acquired after the bill becomes law.

Under current law, if a land acquisition or development project under the stewardship program costs more than \$750,000, DNR cannot obligate money from the stewardship fund for that activity until DNR gives to JCF written notice of the proposed activity. JCF may schedule a meeting to review the proposal only if at least five members of JCF, one of whom is a cochairperson, object in writing to the proposed activity. If the cochairpersons of JCF do not notify DNR within 14 working days after the date of DNR's notification that JCF has scheduled a meeting to review the proposed activity, DNR can obligate the money. If the cochairpersons notify DNR that JCF has scheduled a meeting to review the proposed activity, DNR can obligate the money only if JCF approves the proposed activity or if JCF fails to hold the meeting within a specific number of working days. This bill decreases the \$750,000 threshold to \$250,000.

STET **OTHER NATURAL RESOURCES** *** ANALYSIS FROM -0143/2 *** of the land being acquired

Under current law, the acquisition costs for the lands or easements to be used in calculating the amount of a grant equal the current fair market value plus any other acquisition costs if the land has been owned by the person conveying the land for three years or more. If the land has been owned for one year or more but less than three years, the acquisition costs equal the sum of the current owner's acquisition price and an annual adjustment increase (adjusted price). If the land has been owned for less than one year, the acquisition costs equal the current owner's acquisition price.

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Under current law, land that DNR purchases is not subject to property taxes. Instead, DNR makes annual payments to municipalities for each parcel of land that

FROM P. 12 COPY PASTE + BURNING DOTS (Subhead) *** ANALYSIS FROM -10546 *** OTHER NATURAL RESOURCES under the stewardship program

the DNR has purchased in those municipalities. The payment amount is determined, generally, by multiplying the parcel's estimated value by the aggregate net general property tax rate that would apply to the parcel if it were subject to property taxes. This bill eliminates those payments for land purchased after the bill's effective date.

***** ANALYSIS FROM -0249/1 *****

Under current law, DNR administers a financial assistance program for projects that increase dam safety and may contract public debt to fund the program. This bill increases DNR's bonding authority for the program, the debt service on which is paid from the general fund, by \$4,000,000.

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***** ANALYSIS FROM -1442/1 *****

Under current law, a person who owns a snowmobile that is not registered in this state or is exempt from registration must display on the snowmobile a trail use sticker issued by DNR. Current law also requires DNR to calculate an amount equal to the number of trail use stickers issued by DNR in the previous fiscal year multiplied by \$15 and to credit this amount to an appropriation account that funds aids to counties for activities such as trail development and maintenance. This bill increases the amount by which DNR must multiply the number of trail use stickers from \$15 to \$32 for purposes of determining the amount to be credited to this appropriation account.

***** ANALYSIS FROM -0142/2 *****

NATURAL RESOURCES

***** ANALYSIS FROM -0136/3 *****

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:



State of Wisconsin
2011 - 2012 LEGISLATURE



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Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1053/6 ***

NATURAL RESOURCES

STEWARDSHIP

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the stewardship program, which DNR administers. The state may authorize bonds to acquire state land or easements that are under the jurisdiction of DNR for areas such as state forests and state parks and the Lower Wisconsin State Riverway. Also, currently under the stewardship program, DNR may issue bonds to award grants or state aid to certain governmental units and to nonprofit conservation organizations in order to acquire lands, easements, or development rights.

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just an easement or development rights. Under the bill, an easement acquired for a state trail, for the Ice Age Trail, or to provide access to land or a body of water may not be more than five acres in size.

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Under current law, the acquisition costs for the lands or easements to be used in calculating the amount of a grant equal the current fair market value plus any other acquisition costs if the land has been owned by the person conveying the land for three years or more. If the land has been owned for one year or more but less than three years, the acquisition costs equal the sum of the current owner's acquisition price and an annual adjustment increase (adjusted price). If the land has been owned for less than one year, the acquisition costs equal the current owner's acquisition price.

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*** ANALYSIS FROM -0142/2 *** OTHER NATURAL RESOURCES

Under current law, land that DNR purchases is not subject to property taxes. Instead, DNR makes annual payments to municipalities for each parcel of land that the DNR has purchased in those municipalities. The payment amount is

*** ANALYSIS FROM -0249/1 ***

determined, generally, by multiplying the parcel's estimated value by the aggregate net general property tax rate that would apply to the parcel if it were subject to property taxes. This bill eliminates those payments for land purchased after the bill's effective date.

Under current law, DNR administers a financial assistance (~~grant~~) program for projects that increase dam safety and may contract public debt to fund the ~~grant~~ program. This bill increases DNR's bonding authority for the ~~grant~~ program, the debt service on which is paid from the general fund, by \$4,000,000.

Under current law, a person who owns a snowmobile that is not registered in this state or is exempt from registration must display on the snowmobile a trail use sticker issued by DNR. Current law also requires DNR to calculate an amount equal to the number of trail use stickers issued by DNR in the previous fiscal year multiplied by \$15 and to credit this amount to an appropriation account that funds aids to counties for activities such as trail development and maintenance. This bill increases the amount by which DNR must multiply the number of trail use stickers from \$15 to \$32 for purposes of determining the amount to be credited to this appropriation account.

Also, under this ~~grant~~ program, dam owners, including municipalities and public inland lake protection and rehabilitation districts, generally are eligible to receive a grant only if DNR has issued a directive to the owner to take action to increase the dam's safety. Under current law, in order to obtain a grant, the dam owner must request the grant within six months after having received a DNR directive. This bill eliminates the deadline for making a grant request under the grant program.

*** ANALYSIS FROM -0137/1 ***

NATURAL RESOURCES

*** ANALYSIS FROM -0142/2 ***

NATURAL RESOURCES**OTHER NATURAL RESOURCES**

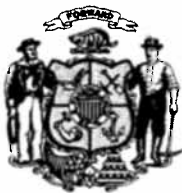
For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LPS:
Please
move

burning
dots.

*** ANALYSIS FROM -1442/1 ***



State of Wisconsin
2011 - 2012 LEGISLATURE



RNK/MH LRB-1515/P1
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1053/6 ***

✓ NATURAL RESOURCES

~~OTHER NATURAL RESOURCES~~

STEWARDSHIP

Subheading

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the stewardship program, which DNR administers. The state may authorize bonds to acquire state land or easements that are under the jurisdiction of DNR for areas such as state forests and state parks and the Lower Wisconsin State Riverway. Also, currently under the stewardship program, DNR may issue bonds to award grants or state aid to certain governmental units and to nonprofit conservation organizations in order to acquire lands, easements, or development rights.

This bill limits acquisitions of land, easements, and and other rights or interests in land under the stewardship program to only acquisitions of land in fee simply and acquisitions of certain easements for forestry purposes (forestry easements), easements for state trails or the ice age trail, and easements that are necessary to provide access to lands or waters that are required to be open to the public for which there is no public access or limited public access. An acquisition of land in fee simple is one where all the rights in the land land are acquired as opposed

simple

to the acquisition of just an easement or development rights. Under the bill, an easement acquired for a state trail, for the ice age trail, or to provide access to land or a body of water may not be more than five acres in size.

The bill requires a city, village, town, or county to adopt a nonbinding resolution that either supports or opposes a proposed acquisition of land or easement and requires DNR to consider the resolution in determining whether to approve the acquisition. This requirement does not apply to forestry easements.

Under current law, lands and certain easements on lands, acquired under the stewardship program must be open to the public for nature-based outdoor activities such as hunting, fishing, hiking, and cross-country skiing unless the DNR board determines that the land may be closed to protect public safety or a unique animal or plant community or to accommodate usership patterns such as conflicts between these types of activities (reasons for prohibiting public access). This bill eliminates the accommodation of usership patterns as a reason for prohibiting public access with respect to lands, or easements on lands, that are not acquired for a state trail or the ice age trail and that are acquired after the bill becomes law.

Under current law, if a land acquisition or development project under the stewardship program costs more than \$750,000, DNR cannot obligate money from the stewardship fund for that activity until DNR gives written notice of the proposed activity to JCF. JCF may schedule a meeting to review the proposal only if at least five members, one of whom is a cochairperson, object in writing to the proposed activity. If the cochairpersons of JCF do not notify DNR within 14 working days after the date of DNR's notification that JCF has scheduled a meeting to review the proposed activity, DNR can obligate the money. If the cochairpersons notify DNR that JCF has scheduled a meeting to review the proposed activity, DNR can obligate the money only if JCF approves the proposed activity or if JCF fails to hold the meeting within a specific number of working days. This bill decreases the \$750,000 threshold ~~amount~~ to \$250,000. OTHER NATURAL RESOURCES ← Subheading

Under current law, land that DNR purchases is not subject to property taxes. Instead, DNR makes annual payments to municipalities for each parcel of land that the DNR has purchased in those municipalities. The payment amount is determined, generally, by multiplying the parcel's estimated value by the aggregate net general property tax rate that would apply to the parcel if it were subject to property taxes. This bill eliminates those payments for land purchased after the bill's effective date.

Under current law, if DNR receives funds from the sale of atlases, those funds are credited to an appropriation account in the conservation fund to be used for expenses associated with the maintenance of facilities and the production of maps and other customer services. This bill repeals that appropriation.

Current law also provides that, if DNR receives gifts and contributions under the Wisconsin natural areas heritage program or moneys from the sale of certain state-owned lands, those amounts are credited to an appropriation account in the general fund to be used for natural heritage and natural area land acquisition activities and for administration of the natural areas inventory program. This bill repeals that appropriation and provides instead that the amounts be credited to an

appropriation account in the conservation fund and used for the same purposes specified in the repealed appropriation.

*** ANALYSIS FROM -0249/1 ***

NATURAL RESOURCES

NAVIGABLE WATERS

Under current law, DNR administers a financial assistance (grant) program for projects that increase dam safety, including projects to maintain, repair, or remove a dam. Current law authorizes DNR to contract public debt for the purpose of funding the dam safety program. Under current law, DNR has bonding authority for the dam safety program of up to \$9,500,000. Debt service on this debt is paid from the general fund. DNR has additional bonding authority under the dam safety program of up to \$6,600,000, the debt service on which is paid from the conservation fund. This bill increases DNR's bonding authority, the debt service on which is paid from the general fund, by \$4,000,000. *for the grant program*

*** ANALYSIS FROM -1442/1 ***

NATURAL RESOURCES

RECREATION

Under current law, a person who owns a snowmobile that is not registered in this state or is exempt from registration must display a trail use sticker issued by DNR on the snowmobile. The fee for this sticker is \$35. Current law also requires DNR to calculate an amount equal to the number of trail use stickers issued by DNR in the previous fiscal year multiplied by \$15 and to credit this amount to an appropriation account that funds aids to counties for activities such as trail development and maintenance. This bill increases the amount by which DNR must multiply the number of trail use stickers from \$15 to \$32 for purposes of determining the amount to be credited to this appropriation account.

*** ANALYSIS FROM -0137/1 ***

NATURAL RESOURCES

NAVIGABLE WATERS

Under current law, DNR administers a financial assistance (grant) program for projects that increase the safety of dams including projects to maintain, repair, or remove a dam. Generally, dam owners, including municipalities and public inland lake protection and rehabilitation districts, are eligible to receive a grant only if DNR has issued a directive to the owner to repair, maintain, or remove the dam or to take other action to increase the dam's safety. Under current law, in order for a dam owner to obtain a grant, the owner must request the grant within six months after having received a directive from DNR. This bill eliminates the deadline for making a request for a grant under the grant program. *generally*

*** ANALYSIS FROM -0143/2 ***

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Current law authorizes the state under the stewardship program administered by DNR to incur public debt to provide matching grants to certain governmental

units and nonprofit conservation organizations to acquire land or easements for certain conservation activities. Under current law, the acquisition costs for the lands or easements to be used in calculating the amount of a grant equal the current fair market value plus any other acquisition costs, such as survey or appraisal costs, if the land has been owned by the person conveying the land for three years or more. If the land has been owned for one year ~~or more~~ but less than three years, the acquisition costs equal the sum of the current owner's acquisition price and an annual adjustment increase (adjusted price). If the land has been owned for less than one year, the acquisition costs equal the current owner's acquisition price.

Under this bill, the acquisition costs for land that has been owned for one year ~~or more~~ but less than three years equal the adjusted price or the current fair market value, whichever is lower. The acquisition costs for land that has been owned for less than one year equal the current owner's acquisition price or the current fair market value of the land, whichever is lower.

Under current law, for some but not all of these grants, at least two appraisals are required when it is necessary to determine the fair market value. Under the bill, at least two appraisals are required for all of these grants.

*** ANALYSIS FROM -0142/2 ***

NATURAL RESOURCES

RECREATION

Under current law, the money DNR receives from the sale of nonresident all-terrain vehicle (ATV) trail passes are credited to an appropriation under which DNR provides incentive payments to landowners for ATV trails or ATV corridors that are open to the public. This bill limits the amount that may be spent for these payments to a specific amount in each fiscal year. The bill also lapses from this appropriation a total of \$894,000 in fiscal year 2011-12 to the conservation fund.

*** ANALYSIS FROM -0136/3 ***

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, if DNR receives funds from the sale of atlases, those funds are credited to an appropriation account in the conservation fund to be used for expenses associated with the maintenance of facilities and the production of maps and other customer services. This bill repeals that appropriation.

Current law also provides that, if DNR receives gifts and contributions under the Wisconsin natural areas heritage program or moneys from the sale of certain state-owned lands, those amounts are credited to an appropriation account in the general fund to be used for natural heritage and natural area land acquisition activities and for administration of the natural areas inventory program. This bill repeals that appropriation and provides instead that the amounts be credited to an appropriation account in the conservation fund and used for the same purposes specified in the repealed appropriation.

*** ANALYSIS FROM -0141/1 ***

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STEP

NATURAL RESOURCES**OTHER NATURAL RESOURCES**

This bill lapses a total of \$335,000 in fiscal year 2011-12 and \$335,000 in fiscal year 2012-13 to the conservation fund from several appropriations to DNR, including the appropriation for grants for lake management projects.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows: